

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ANTHONY LEE MONROE,

Petitioner,

v.

ISIDRO BACA, et al.,

Respondents.

Case No. 3:14-cv-00106-MMD-WGC

ORDER

The Court ordered petitioner to show cause why this action should not be dismissed because he has not yet exhausted his available state-court remedies. (Dkt. no. 5) Petitioner has filed a response (dkt. no. 8). He agrees with the Court, and he asks that the Court dismiss the action without prejudice. The Court grants his request.

Although it appears that the one-year period of limitation of 28 U.S.C. § 2244(d)(1) has not yet started, nothing in this order should be construed to affect the running of that period beyond the normal operation of the statute. Petitioner remains responsible for ensuring that he timely files a federal habeas corpus action after he has exhausted his claims in state court.

It is therefore ordered that this action is dismissed upon petitioner's request without prejudice for failure to exhaust the available state-court remedies. The clerk of the court shall enter judgment accordingly.

DATED THIS 22nd day of August 2014.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE